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In re Application of
Robert L. Sutherland et al
Application No. 10/025,680
Filed: December 19, 2001
Attorney Docket No. 7156

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 12, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to submit the issue fee and publication fee in a timely manner in reply to the Notice of Allowance mailed July 17, 2003, which set a statutory period for reply of three (3) months. Accordingly, the above-identified application became abandoned on October 18, 2003.

There is no indication that petitioner has submitted an Issue Fee Transmittal Form (PTOL-85b). Accordingly, if petitioner desires to have the information normally found thereon printed on the patent, the attached blank Issue Fee Transmittal Form should be completed and returned to the Publishing Division within **ONE MONTH** from the mail date of this decision.

The Notice of Change of Correspondence Address filed on August 12, 2004 is noted and made of record. Since the Associate Power of Attorney filed on August 12, 2004, was filed after June 25, 2004, the effective date of a rule change eliminating the Associates Power of Attorney practice (37 CFR 1.34(b)). The paper has been placed in the official file; however, but the name of the patent practitioner listed on the Associate Power of Attorney has **not** been made of record.¹

Pursuant to petitioner's authorization, Deposit Account No. 09-0528 was charged

¹ See Official Gazette of June 22, 2004

a total of \$2,960.00 -- \$1,330.00 for the petition to revive an unintentionally abandoned application, \$1,330.00 for the issue fee and \$300.00 for the publication fee.

Telephone inquiries should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to Publishing Division.


Wan Laymon

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Attachment: PTOL-85(b)